

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GERRY BURKE and LESLIE CROUCH,
individually and d/b/a M.J. CLEANING,

Plaintiffs/Counter-defendants,

v.

WES MORGAN CONSTRUCTION, INC.,

Defendant/Counter-Plaintiff.

)
)
)
)
)
)
)
)
)
)

No. 3:02-cv-1187

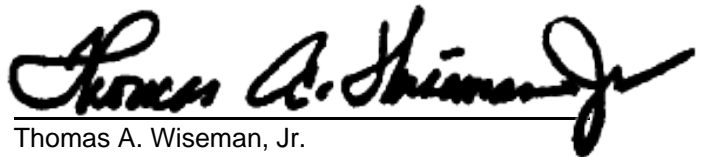
Judge Thomas A. Wiseman, Jr.

ORDER

For the reasons set forth in the accompanying Memorandum Opinion, Defendant Wes Morgan Construction, Inc.'s Motion for Summary Judgment (Doc. No. 10) is **GRANTED** and Plaintiffs' Complaint is hereby **DISMISSED** with prejudice.

Further, because the Court is dismissing all claims over which it had original jurisdiction and because the Court finds that the Defendant will not suffer undue prejudice as a result, the Court declines to continue to exercise supplemental jurisdiction over the Defendant's pending state-law counterclaims. This case is therefore **REMANDED** to the Chancery Court for Rutherford County, pursuant to 28 U.S.C. § 1367(c)(3).

It is so **ORDERED**. This is a final judgment for purposes of Fed. R. Civ. P. 58.



Thomas A. Wiseman, Jr.
Senior United States District Judge